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68

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,909	05/02/2001	Marten S. Callicott	GT-4684 (GC-EU-CIP-DIV)	9015
7590	02/25/2004		EXAMINER	
Robert F. Rywalski, Esq. OMNOVA Solutions Inc. 175 Ghent Road Fairlawn, OH 44333-3300			FLETCHER III, WILLIAM P	
			ART UNIT	PAPER NUMBER
			1762	

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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ART UNIT

PAPER

041003

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Commissioner for Patents

Please see the attached communication.

WPF 2/13/2004
William Phillip Fletcher III
Patent Examiner, USPTO
Group Art Unit 1762

1. The amendment filed on 8/4/2003 (Paper No. 9) canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because:

2. Newly submitted amended claims 10 – 18 and new claims 27 – 43 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 10 – 18, as originally-filed, drawn to a method of coating a substrate, classified in class 427, subclass 385.5.

II. Claim 10 – 18, as amended, and new claims 27 – 43, drawn to a method of making a coating cross-linked composition, classified in class 525, subclass 443.

The inventions are distinct, each from the other because of the following reasons:

4. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as a composition for the manufacture of a free-standing cured resin film, absent any substrate. See MPEP § 806.05(d).

5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

6. SINCE APPLICANT HAS RECEIVED AN ACTION ON THE MERITS (PAPER NO. 7) FOR THE ORIGINALLY PRESENTED INVENTION, THIS INVENTION HAS BEEN CONSTRUCTIVELY ELECTED BY ORIGINAL PRESENTATION FOR PROSECUTION ON THE MERITS. In other words, and with respect to the submission filed 10/22/2003, because applicant has received an action on the originally presented invention, APPLICANT CANNOT ELECT THE NEWLY PRESENTED CLAIMS.

7. Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Fletcher III whose telephone number is (571) 272-1419. The examiner can normally be reached on Monday through Friday, 9 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P. Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 1762

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WPF 2/13/2004

William P. Fletcher III
Examiner
Art Unit 1762



SHIRLEY P. BECK
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